

REMARKS

Applicant notes the allowance of Claims 9-45 and 68-80 and the indicated allowability of Claims 4-6, 8 and 82.

Rejection Under 35 U.S.C. §102(b):

Claims 1-3, 7, 81, 83 and 86 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,469,980 to Johnson (“Johnson”). The examiner appears to have misread what Johnson fairly discloses. Reconsideration and withdrawal of the rejection is solicited.

Claim 1 has been amended to incorporate the patentable limitations of Claim 2. Please cancel Claim 2 without prejudice. Claim 5 has been amended to independent form.

Claim 1 as amended recites, “a pelletized fill material...comprising rhenium and bromine.” Johnson discloses a discharge medium comprising either “copper halide, rhenium halide, magnesium halide, or silver halide.” (Col. 4, ll. 12-13). Johnson further discloses that copper halide is preferred because rhenium and silver halide are not as easy to work with as copper halide, and that “either copper bromide or copper iodide may be employed to produced the desired ultraviolet output from arc tube 20.” (Col. 4, ll. 16-18). Contrary to the examiner’s assertion, there is no disclosure or suggestion from Johnson that the fill material may comprise rhenium and bromine as claimed. Therefore, Johnson does not anticipate, nor make obvious, the palletized fill material of amended Claim 1. Reconsideration and withdrawal of the rejection based on Johnson is solicited.

Claims 3 and 4, as amended, and Claims 7 and 8 ultimately depend upon independent Claim 1. Notwithstanding the additional patentable limitations recited in Claims 3 and 7, Claims 3 and 7 depend from amended claim 1 and are allowable therewith.

With respect to Claim 81, Claim 81 has been amended to more clearly specify the limitations contained therein, i.e., Claim 81 as amended recites, *inter alia*, a pellet “mechanically secured in a fixed position...so that there is substantially no relative movement between said pellet and said light emitting chamber.” There is no disclosure, suggestion or teaching in Johnson of mechanically securing a pellet or vaporizable medium in a fixed position with no relative movement between the pellet and the light emitting chamber. Reconsideration and withdrawal of the rejection of Claim 81 is hereby solicited.

Notwithstanding the additional patentable limitations recited in Claim 83, Claim 83 depends from amended Claim 81 and is allowable therewith.

With respect to Claim 86, it appears the examiner has misread what Johnson fairly discloses. The examiner’s assertion that Johnson teaches a palletized fill material responsive to temperature for releasing bromine and rhenium over time is in error. As discussed with respect to Claim 1, there is no disclosure or suggestion from Johnson of a pelletized fill material comprising rhenium and bromine. Moreover, the examiner has provided no reference in Johnson for the asserted teaching. Johnson does not anticipate or make obvious the invention of Claim 86.

A further and favorable action and allowance of all claims is solicited.

Respectfully submitted,



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